

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MONARCH LIFE INS. CO.	:	CIVIL ACTION
	:	
v.	:	
	:	
ESTATE OF ROBERT TARONE, III,	:	NO. 09-734
et al.	:	

ORDER

AND NOW, this 26th day of January, 2010, upon consideration of Laura Sipio's motion for summary judgment (docket entry # 19), the response thereto (docket entry # 22), the motion for summary judgment of the Estate of Robert Tarone, III, and James P. McEvilly, the Estate's Executor (docket entry # 20 and 21), Sipio's response thereto (docket entry # 23), the parties' exhibits, and in accordance with the accompanying Memorandum, it is hereby ORDERED that:

1. Sipio's motion for summary judgment (docket entry # 19) is DENIED;

2. The motion for summary judgment of the Estate and McEvilly (docket entry # 20) is DENIED; and

3. By February 15, 2010, the parties shall NOTIFY the Court by fax (215-580-2156) regarding (1) whether they have completed discovery regarding any extrinsic evidence surrounding the Settlement Documents and Policy, which were executed in 1984; (2) if the parties have not done so, what discovery they expect to

need -- in detail -- and the minimum time in which that can be completed; and (3) whether the Estate and Sipio have factual disagreements regarding the extrinsic evidence.

BY THE COURT:

___\s\Stewart Dalzell